

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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DIMITRI ENTERPRISES, INC., :  
:  
v. : 20 Cv. 7966 (JSR)  
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NIF SERVICES OF NEW JERSEY, INC. and :  
SCOTTSDALE INSURANCE COMPANY, :  
: ORDER  
:  
-----x  
JED S. RAKOFF, U.S.D.J.

Before the Court is a motion of plaintiff Dimitri Enterprises, Inc. "for an order permitting joinder of an additional defendant, Spar Insurance Agency, LLC, pursuant to Rule 15 of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court deems just and proper." Dkt. No. 26.<sup>1</sup> The proposed amended complaint, which is included in plaintiff's moving papers, brings two additional causes of action against Spar Insurance Agency, LLC. See Dkt. No. 26-1 at 12. Defendant Scottsdale Insurance Company, the sole remaining defendant in this

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<sup>1</sup> Although styled as a motion for joinder under Rule 15, a motion to amend a complaint to add a party is governed by Rule 21 of the Federal Rules of Civil Procedure. See, e.g., Sanders v. Houslanger and Associates, PLLC, No. 17-cv-8985 (DC), 2018 WL 6444921, at \*2 (S.D.N.Y. Sept. 6, 2018) ("To the extent a plaintiff seeks to join a new party, the motion is governed by Federal Rule of Civil Procedure 21."). In any event, courts in this district apply the same liberal standard to motions to amend pleadings under Rule 21 as under Rule 15. See Sly Magazine, LLC v. Weider Publications L.L.C., 241 F.R.D. 527, 532 (S.D.N.Y. 2007).

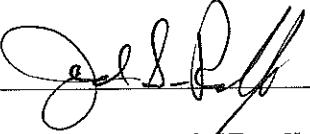
action, represented to the Court in a telephonic conference held on November 24, 2020 that it had no objections to plaintiff's motion. Accordingly, plaintiff's motion is granted.

The Clerk of the Court is directed to close docket entry 26.

SO ORDERED.

Dated: New York, NY

December 1, 2020



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JED S. RAKOFF, U.S.D.J.